

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Transport Department – Allegation of possession of assets disproportionate to the known sources of income against Sri Malacheruvu Vijay Kumar, RTO, Uppal, R.R.District- Sanction for prosecution – Orders –Issued.

TRANSPORT, ROADS & BUILDINGS (VIG.III) DEPARTMENT

G.O.Ms.No. 246

Dated: 01-12-2009.

Whereas Sri Malacheruvu Vijay Kumar, joined in Government Service as Assistant Motor Vehicle Inspector on 20.4.1977 in Transport Department and posted at office of Deputy Transport Commissioner (DTC), Hyderabad and worked till 19.10.1977. Later he was transferred to Office of DTC, Medak (Zaheerabad C.P) and worked from 20.10.1977 to 1.4.1979. While working at various places in Hyderabad, Ranga Reddy, he was promoted as Motor Vehicle Inspector on 19.11.1984 and posted at DTC's, Nizamabad and he worked as Motor Vehicle Inspector in various places in O/o JTC, Hyderabad, O/o DTC, Nizamabad (Madnoor C.P), DTC, Sanga Reddy, O/o RTO Nalgonda at (Bhongir) O/o RTO Mahaboobnagar. On 9.2.2007, he was further promoted as Regional Transport Officer and worked at RTO Uppal, Ranga Reddy District from 10.2.2007 to 8.4.2008. By virtue of the post held by him, he falls under the category of Public Servant within the meaning of Section 2 (C) of the Prevention of Corruption Act, 1988. (Act 49 of 1988);

2. And whereas, on credible information that Sri Malacheruvu Vijay Kumar, RTO, Uppal, R.R.District, indulged in corrupt practices and by dubious means acquired immovable and movable properties in his name and in the names of his family members, a case in Cr.No.10/ACB-CR2/2008 was registered Under Section 13 (2) read with section 13(1) (e) of the Prevention of Corruption Act, 1988 (Act 49 of 1988) on 8.4.2008 and investigated into as per the proceedings issued by the Joint Director (City) A.C.B. Hyderabad who accorded permission vide proceedings No.95/JD City/ACB/2008, Dated:4.4.2008. During the course of investigation and in pursuance of search Warrants obtained from the Principle Special Judge for SPE & ACB cases at Hyderabad, searches were conducted at the Residential House of Sri Malacheruvu Vijay Kumar, RTO, Uppal, R.R.District and his relatives etc, on 9.4.2008. During the searches several incriminating documents pertaining to the Assets, Income and Expenditure of Sri Malacheruvu Vijay Kumar were recovered and seized and the household articles found in the residential premises of Sri M.Vijay Kumar, were got inventoried in the presence of mediators;

3. And whereas, for the purpose of investigation the check period was taken from 1.10.1988 to 9.4.2008 i.e, date of the check period in previous case in Cr.No.26/ACB-CR2/1988 till the date of searches;

4. And whereas, the investigation revealed that Sri M.Vijay Kumar, acquired assets in the shape of movable and immovable properties and deposits in banks etc., in his name, in the name of his wife and in the name of his children's during the check period to the extent of Rs.46,89,614/- (Rupees forty six lakhs eighty nine thousand six hundred and fourteen only) vide Annexure-I appended to this order. His total income from all his known sources during the period from 1.10.1988 to 9.4.2008 is arrived at Rs.29,65,263/- (Rupees twenty nine lakhs sixty five thousand two hundred and sixty three only) vide Annexure-II appended to this order. His total expenditure during the said period i.e., from 1.10.1988 to 9.4.2008 is estimated Rs.22,14,541/- (Rupees twenty two lakhs fourteen thousand and

five hundred forty one only) vide Annexure-III appended to this order. Hence, Sri M.Vijay Kumar, has a likely Savings of Rs.9,82,358/- (Rupees Nine lakhs eighty two thousand three hundred and fifty eight only) including assumed savings Rs.2,31,636/- arrived by TDP in Cr.No.26/ACB-CR2/1988 registered against the said M.Vijay Kumar as on the terminal date of check period (i.e, 29,65,263 – 22,14,541=7,50,722+ 2,31,636). As against the likely savings of Rs.9,82,358/- (Rupees nine lakhs eighty tow thousand three hundred and fifty eight only) Sri M.Vijay Kumar, is found possession of assets to an extent of Rs.46,89,614/- (Rupees forty six lakhs eighty nine thousand six hundred and fourteen only). Thus, Sri M.Vijay Kumar was found in possession of disproportionate assets to the tune of Rs.37,07,256/- (Rupees thirty seven lakhs seven thousand two hundred and fifty six only) for which he could not satisfactorily account;

5. And whereas the said acts of Sri M.Vijay Kumar, constitute an offence punishable under sub-section (2) of section 13 read with clause (e) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

6. And whereas, the Government of Andhra Pradesh, being the competent authority to remove Sri Malacheruvu Vijay Kumar, RTO, Uppal, R.R District from Government service after fully and carefully examining the material placed before them in respect of the said allegation and having regard to the facts and circumstances of the case consider that the said Sri Malacheruvu Vijay Kumar, should be prosecuted in court of law having competent jurisdiction for the aforesaid offence;

7. Now, therefore, in exercise of the powers conferred by clause (b) of Sub-Section (1) section 19 of the Prevention of Corruption Act, 1988, (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Malacheruvu Vijay Kumar, RTO, Uppal, Ranga Reddy District, for the aforesaid offence punishable under sub-section (2) of section 13 read with clause (e) of sub-section (1) of Section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law, for the time being in force in respect of the aforesaid act and for taking cognizance of the said offence by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

(K.RATNA PRABHA)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti- Corruption Bureau,
Andhra Pradesh, Hyderabad.

Copy to Law (E) Department.